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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,221	11/12/2003	Heiko Taxis	4965-000166	6314
27572	7590	03/30/2006		EXAMINER
HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 828 BLOOMFIELD HILLS, MI 48303				EKONG, EMEM
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 03/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/706,221	TAXIS, HEIKO	
	<b>Examiner</b> EMEM EKONG	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 12 November 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-14 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 12 November 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>11/23/05</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

## DETAILED ACTION

### ***Specification***

1. The abstract of the disclosure is objected to because it includes legal phraseology, such as "said". Correction is required. See MPEP § 608.01(b).

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 10, and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by U. S. Patent No. 6,629,183 B1 to Gortz et al..

Regarding claim 1, Gortz et al. discloses driver information system (col. 1 lines 13-25) comprising an operating device having at least two operational control units and a holding unit for the operational control units (see figure 2, col. 1 lines 20-26, and col. 4 lines 3-4), and a control device for validating control signals delivered by the operational control units (col. 4 lines 1-4, tactile/haptic driver), wherein said operational control units are freely arrangeable with respect to the holding device (see figure 2).

Regarding claim 2, Gortz et al. discloses the driver information system of claim 1, wherein each of said operational control units comprises a transmitting unit (col. 5 lines

59-61, user data input via input/output means via interface circuit), and said control device is associated with a receiving unit, in order to receive the control signals provided by the transmitting unit (col. 4 lines 1-4, tactile/haptic driver interface).

Regarding claim 3, Gortz et al. discloses the driver information system of claim 2, wherein the transmitting unit transmits said control signals optically (col. 2 lines 61-64, col. 4 lines 13-14, and claim 5).

Regarding claim 10, Gortz et al. discloses the driver information system of claim 1, wherein said operation control unit is one of an operating element, volume control element, a hard-key element etc (col. 1 lines 20-25).

Regarding claim 12, Gortz et al. discloses driver information system (col. 1 lines 13-25) comprising an operating device having at least two operational control units and a holding unit for the operational control units (see figure 2, col. 1 lines 20-26, and col. 4 lines 3-4), and a control device for validating control signals delivered by the operational control units (col. 4 lines 1-4, tactile/haptic driver), said operational control units being freely arrangeable with respect to the holding device(see figure 2), wherein each of said operational control units comprises a transmitting unit for transmitting said control signals wirelessly (col. 2 lines 61-64, col. 4 lines 13-14, and claim 5), and said control device is associated with a receiving unit, in order to receive the control signals

provided by the transmitting unit (col. 4 lines 1-4, tactile/haptic driver interface).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claims 4, 5, 8, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gortz et al. in view of U. S. Patent No. 6,947,760 B2 to Weisshaar et al.

Regarding claims 4, 5, and 8, Gortz et al. discloses the driver information system of claim 2. However, Gortz et al. fails to disclose wherein the receiving unit transmits said control signals via radio frequency; wherein said transmitting, unit and said receiving unit are adapted for transmitting using the bluetooth protocol; wherein said operational control are supported movably relative to each other by the holding unit.

Weisshaar et al. discloses wherein the receiving unit transmits said control signals via radio frequency; wherein said transmitting, unit and said receiving unit are adapted for transmitting using the bluetooth protocol (col. 4 lines 24-51);

wherein said operational control are supported movably relative to each other by the holding unit (Weisshaar et al. see figure 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Gortz et al., and have the receiving unit transmit control signals via radio frequency; wherein said transmitting, unit and said receiving unit are adapted for transmitting using the bluetooth protocol; and wherein said operational control are supported movably relative to each other by the holding unit as disclosed by Weisshaar et al. for the purpose of the components communicating with each other.

Regarding claim 13, Gortz et al. discloses driver information system (col. 1 lines 13-25) comprising an operating device having at least two operational control units and a holding unit for the operational control units (see figure 2, col. 1 lines 20-26, and col. 4 lines 3-4), and a control device for validating control signals delivered by the operational control units (col. 4 lines 1-4, tactile/haptic driver), said operational control units being freely arrangeable with respect to the holding device (see figure 2), and said control device is associated with a receiving unit, in order to receive the control signals provided by the transmitting unit (col. 4 lines 1-4, tactile/haptic driver interface).

However, Gortz et al. fails to disclose wherein each of said operational control units comprises a transmitting unit for transmitting said control signals optically.

Weisshaar et al. disclose wherein each of said operational control units comprises a transmitting unit for transmitting said control signals optically (col. 4 lines 24-51).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Gortz et al., and have the operational control units comprises a transmitting unit for transmitting said control signals optically as disclosed by Weisshaar et al. for the purpose of the components communicating with each other.

7. Claims 6, 7, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gortz et al. in view of U. S. Patent No. 5,528,235 to Lin et al..

Regarding claims 6, 7, and 9, Gortz et al. discloses the driver information system according to claim 1, however, Gortz et al. fails to disclose wherein the holding unit comprises preset number of operational control slots, which are each adapted to receive operational control units,

wherein each operational unit comprises at least one frame connector which is insertable in an edge-socket-connector provided in each said operational control slot, the control signals being transmitted by wire via said connector-socket connection;

wherein each operational control unit comprises a mounting member provided at a operational control unit slot and engaging said mounting member detachably.

Weisshaar et al. discloses wherein the holding unit comprises preset number of operational control slots, which are each adapted to receive operational control units (see figure1);

wherein each operational unit comprises at least one frame connector which is insertable in an edge-socket-connector provided in each said operational control slot, the control signals being transmitted by wire via said connector-socket connection (col. 5 lines 44-54);

wherein each operational control unit comprises a mounting member provided at a operational control unit slot and engaging said mounting member detachably (see figure 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Gortz et al., and have the holding unit comprises preset number of operational control slots, which are each adapted to receive operational control units each operational unit comprises at least one frame connector which is insertable in an edge-socket-connector provided in each said operational control slot, the control signals being transmitted by wire via said connector-socket connection; wherein each operational control unit comprises a mounting member provided at a operational control unit slot and engaging said mounting member detachably as disclosed by Weisshaar et al. for the purpose of communicating signals.

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8. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gortz et al. in view of U. S. Patent No. 6,304,803 to Dao.

Regarding claim 11, Gortz et al. discloses the driver information system of claim 1, however, Gortz et al. discloses wherein operational control units comprise identical cover plates.

Dao discloses the driver information system of claim 1, however, Gortz et al. discloses wherein operational control units comprise identical cover plates (see figure 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Gortz et al., and have the operational control units comprise identical cover plates as disclosed by Dao for appearance purpose.

9. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gortz et al. in view of U. S. Patent No. 4,366,482 to Remes et al..

Regarding claim 14, Gortz et al. discloses driver information system (col. 1 lines 13-25) comprising an operating device having at least two operational control units and a holding unit for the operational control units(see figure 2, col. 1 lines 20-26, and col. 4 lines 3-4), and a control device for validating control signals delivered by the operational control units(col. 4 lines 1-4, tactile/haptic driver), said operational control units being freely arrangeable with respect to the holding device (see figure 2), and said control

device is associated with a receiving unit, in order to receive the control signals provided by the transmitting unit (col. 4 lines 1-4, tactile/haptic driver interface).

However, Gortz et al. fails to disclose wherein each of said operational control units comprises a transmitting unit for transmitting said control signals optically.

Remes et al. discloses wherein each of said operational control units comprises a transmitting unit for transmitting said control signals by radio frequency (col. 2 line 65-col. 3 line 30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Gortz et al., and have the operational control units comprise a transmitting unit for transmitting said control signals by radio frequency as disclosed by Remes et al. for the purpose of the communicating signals.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EMEM EKONG whose telephone number is 571 272 8129. The examiner can normally be reached on 8-5 Mon-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 571 272 7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
EOE  
3/23/06

NICK CORSARO  
PRIMARY EXAMINER